

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Libutti *et al.*) Art Unit: 1632
)
Application No. 10/510,652) Examiner: Singh, Anoop Kumar
)
Filing Date: October 28, 2004) Confirmation No. 4377
)
For: QUANTITATIVE ASSAY OF THE)
ANGIOGENIC AND ANTIANGIOGENIC)
ACTIVITY OF A TEST MOLECULE)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 36339

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 9, 2007 finally rejecting 1-39.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:
(a) ☐ was obtained for ____ month.
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of 970.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:

ATTORNEY DOCKET NO. 14014.0431U2
APPLICATION NO. 10/510,652


- ☒ Appeal fee amount pursuant to 37 C.F.R. §41.20(b)(1) = \$510.00/LE.
☒ Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(2) = \$460.00
– two month extension of time fee.

3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and 5 sheets of reasons.


The amount authorized in PTO-2038 is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.


P. Brian Giles, Ph.D.
Registration No. 57,896

NEEDLE & ROSENBERG, P.C.
Customer Number 36339
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person Mailing (Print/Type)	P. Brian Giles, Ph.D.		
Signature		Date	1-24-2008